

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION - DETROIT**

IN THE MATTER OF:

**Crystal Mitchell,**

CASE NO: 22-48870-mlo

CHAPTER: 13

JUDGE: Maria L. Oxholm

**Debtor.**

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**DEBTOR'S PROPOSED PLAN MODIFICATION #1**

NOW COMES, Crystal Mitchell, by and through her attorneys, Frego & Associates - The Bankruptcy Law Office, PLC, and in support of her Proposed Plan Modification #1, states as follows:

1. Debtor filed for relief under Chapter 13 on or about November 10, 2022.
2. Debtor's plan was confirmed on or about February 17, 2023.
3. Debtor was involved in an accident with her Chevy Trax. The insurance company has deemed the vehicle total loss. Therefore, Debtor wishes to modify her Plan in the following manner:
  - a. Debtor will surrender the 2019 Chevrolet Trax to creditor Credit Acceptance Corporation. The automatic stay shall be lifted upon approval of this plan modification.
  - b. The Trustee will stop making disbursements to Creditor Credit Acceptance Corporation on creditor's class 5 claim. Creditor shall be permitted to file an amended Proof of Claim for any deficiency balance.
  - c. Farmers Insurance will be allowed to disburse funds to lienholder Credit Acceptance Corporation for the 2019 Chevrolet Trax.
  - d. Debtor's Chapter 13 Plan payment shall be modified to \$274.97 bi-weekly effective May 3, 2023.
    - i. Debtor needs a replacement vehicle. She will send the requisite paperwork to the Trustee in order to obtain a court order that would allow her to incur credit to finance a vehicle.
    - ii. Debtor will also file amended schedules I and J to reflect her current income and anticipated expenses.
    - iii. As a result of her anticipated direct vehicle payment, Debtor's Plan payment will change to \$274.97 bi-weekly.
  - e. Subsequently, Debtor's Chapter 13 Plan payment increase to \$286.25 bi-weekly effective April 8, 2024 and eventually to \$312.07 bi-weekly effective January 4, 2026.
4. Effect of Proposed Plan Modification #1 on creditors:
  - a. Classes One, Two, Five (2), Five (5), Six, and Seven: No adverse impact and will continue to be paid pursuant to plan;
  - b. Classes Three, Four, and Eight: No impact as there are no creditors in these classes;

- c. Class Five (1): Credit Acceptance will no longer receive payments.
  - d. Class Nine: Debtor is not required to provide a dividend based on the liquidation analysis.
5. A plan calculation, a worksheet, and a liquidation analysis are attached as Exhibit 6. Debtor will send supporting documents directly to the Trustee.

Wherefore, Debtor requests this court grant her Proposed Plan Modification #1.

Dated: May 3, 2023

/s/ Toni Valchanov  
Frego & Associates - The Bankruptcy Law Office,PLC  
Attorneys for Debtor  
23843 Joy Rd.  
Dearborn Heights, MI 48126  
(313) 724-5088  
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Toni Valchanov P75398

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**ORDER MODIFYING PLAN**

Debtor having filed a Post Confirmation Plan Modification #1, all interested parties having received Notice, a Certificate of No Response having been filed and the Court being more fully advised;

IT IS HEREBY ORDERED:

1. Debtor hereby surrenders the 2019 Chevrolet Trax to creditor Credit Acceptance Corporation. The automatic stay shall be lifted upon entry of this Order.
2. The Trustee shall cease making disbursements to Creditor Credit Acceptance Corporation on creditor's class 5 claim. Creditor shall be permitted to file an amended Proof of Claim for any deficiency balance.
3. Farmers Insurance shall be allowed to disburse funds to lienholder Credit Acceptance Corporation for the 2019 Chevrolet Trax.
4. Debtor's Chapter 13 Plan payment shall be modified to \$274.97 bi-weekly effective May 3, 2023.
5. Debtor's Chapter 13 Plan payment shall increase to \$286.25 biweekly effective April 8, 2024.
6. Debtor's Chapter 13 Plan payment shall increase to \$312.07 biweekly effective January 4, 2026.

PROPOSED ORDER, EXHIBIT 1

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**Notice of Deadline to Object to Proposed Chapter 13 Plan Modification #1**

The deadline to file an objection to the attached proposed chapter 13 plan modification is 21 days after service.

If no timely responses are filed to a proposed post-confirmation plan modification, the proponent may file a certificate of no response and request entry of an order approving the plan modification.

If a timely objection is filed, the Court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

Objections to the attached proposed chapter 13 plan modification shall be served on the following:

FREGO & ASSOCIATES - THE BANKRUPTCY LAW OFFICE,PLC, 23843 JOY ROAD, DEARBORN HEIGHTS,  
MI 48127

DAVID RUSKIN 26555 Evergreenn Rd. Suite 1100 Southfield, MI. 48076

Crystal Mitchell, 44541 Bayview, Apt. 28205, Clinton Township, MI 48038

Dated: May 3, 2023

/s/ Toni Valchanov

Frego & Associates - The Bankruptcy Law Office,PLC

Attorneys for Debtor

23843 Joy Rd.

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